

REMARKS/ARGUMENTS

This is in response to the final official action dated April 11, 2011. Reconsideration is respectfully requested.

Claim rejections under 35 USC § 103

The Examiner rejected claims 8, 9, 11 and 14 as being unpatentable over Yoder (US 5,871,462) in view of McDonnell (US 5,591,184) and Pelmulder et al. (US 4818190).

Applicant amended independent claim 8 to more precisely define the invention, which differs from Yoder, MsDonnell and Pelmulder in so many ways that a person of ordinary skill in the art would not combine the references as suggested by the Examiner with Yoder and come up with applicant's invention. Claim 8 claims a different water jet apparatus than the one utilized in the method of water cutting described by Yoder, MsDonnell and Pelmulder combined.

The combination of Yoder, MsDonnell and Pelmulder does not provide a piston cylinder unit which includes a first opening through the cylinder casing, the first opening effecting communication of the pressure line with the suction-pressure space, a second opening through the cylinder casing, the second opening effecting communication of the suction line with the suction-pressure space, the first and second opening being radially oriented and diametrically opposed and a check valve, opening in the suction direction, is inserted in the suction line.

Applicant in the specification clearly states that such arrangement would comprise "a simple installation of the pressure intake results from the suction intake and pressure intake being situated radially opposite to each another. Then, the pressure tubule can be inserted and pressed together from inside into the cylinder casing via the suction intake. *The radially opposing arrangement of the suction intake and pressure intake is also of great advantage such that the entering suction stream and the exiting pressure stream are directed in the same direction. This avoids unnecessary pressure drop losses in the flow, and a high energy efficiency with it.*" (Emphasis added). Claim 8 now includes such limitations and therefore, claims 8 should be allowable.

Claims 9, 11 and 14 are dependent directly from claim 8. These claims should be allowable for

the same reasons as claim 8 should be allowable.

The Examiner rejected claim 10 as being unpatentable over Yoder (US 5,871,462) in view of McDonnell (US 5,591,184) and Pelmulder et al. (US 4818190) and further in view of Allen (US 3622251). Claim 10 depends on claim 8. Claim 10 therefore includes all limitations of claim 8. Claim 10 should be allowable for the same reasons as claim 8.

The Examiner rejected claims 12 and 13 as being unpatentable over Yoder (US 5,871,462) in view of McDonnell (US 5,591,184) and Pelmulder et al. (US 4818190) and in view of Rogers (US 4551146). Claims 12 and 13 are directly or indirectly depended on claim 8 and therefore include all limitations of claim 8. Claims 12 and 13 should be allowable for the same reasons as claim 8.

The Examiner rejected claims 12 and 13 as being unpatentable over Yoder (US 5,871,462) in view of McDonnell (US 5,591,184) and Pelmulder et al. (US 4818190) and further in view of Rogers (US 4551146). Claim 12 is also directly dependent on claim 8 and, thus, included the same limitations as claim 8 does. Accordingly, claim 12 is also patentable. Claim 13 was canceled and thus, the rejection is moot.

Accordingly, for claims 8-12 and 14, allowance is respectfully requested.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,
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